

### III. REMARKS

Claims 1-26 are pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-26 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Carroll (U.S. Patent No. 6,683,631), hereafter “Carroll.”

With regard to the 35 U.S.C. §102(e) rejection over Carroll, Applicants assert that Carroll does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 9, 17, 21 and 23, Applicants submit that Carroll fails to teach selecting a second set of data within the application, wherein the first set of data remains selected during the selection of the second set of data, wherein the method is adapted to allow selecting of the second set of data anywhere within the application irrespective of a location of the first set of data. In contrast, the portion of Carroll cited by the Office teaches, “...in the illustrated embodiment, the user wishes to extend the selected region 106 to the end of the sentence.” Col. 3, lines 28-30. Interpreting Carroll solely for the purpose of this paper, Carroll teaches a selected region that can be extended, i.e., an adjacent region may be appended to the previously selected region. The Office states that “[s]ince the user can freely move the positional indicator to any location, as is well known in the art, it is clear that the active select region may be located anywhere chosen by the user.” Office Action, page 2. Applicants respectfully disagree with this

statement of the Office for the following reasons.

First, Applicants respectfully submit that the Office's factual statement is not supported by the Carroll specification. Specifically, Carroll teaches selecting an initial region (col 3, lines 33-50), extending by appending onto the initial region (col. 4, lines 1-19) and deselecting an area within the initial region (col. 4, lines 53-65). To this extent, the selecting of additional content is taught as being contiguous with the previously selected region as the cursor for addition additions content is taught as being "...positioned at the edge of the selected region." Col. 4, line 2. As such, the newly selected content of Carroll is always contiguous with the previously selected content. Thus, the newly selected content of Carroll depends upon the position of the previously selected content.

Further, Carroll never teaches that its additional content may be chosen in an area that is not contiguous with the previously selected content while the previously selected content remains selected. As such, the newly selected content of Carroll is always dependent upon the location of the previously selected content. Finally, Applicants respectfully submit that the Office's factual statement amounts to Official Notice and respectfully request that the Office provide references that teach this feature or withdraw the rejection.

In contrast, the claimed invention includes "...selecting a second set of data within the application, wherein the first set of data remains selected during the selection of the second set of data, wherein the method is adapted to allow selecting of the second set of data anywhere within the application irrespective of a location of the first set of data." Claim 1. As such, unlike the extended portion of Carroll, in the claimed invention, the second set of data of the claimed invention may be anywhere within the application irrespective of a location of the first set of

data. Thus, the selecting of the second set of data is not taught by the extending of Carroll.

Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claims 17, 21 and 23, and with respect to dependent claims 4 and 10, Applicants submit that the Carroll also fails to teach or suggest selecting, in a distinctive manner, a portion of one of the selected sets of data, wherein the one of the selected sets of data remains selected during the selection of the portion. The Office, in its arguments to the contrary, cites a passage of Carroll that recites “[t]he active select region preferably has a different appearance than text outside of this region.” Col. 3, lines 47-48. However, the passage cited by the Office describes the initial selection of the active select region. To this extent, the “different appearance than text outside of this region” of Carroll indicates that selected text has a different appearance from non-selected text and not that it has a different appearance from previously selected text, as the selection of additional text is not described here, but rather later in the specification. See e.g., col. 4, lines 1-19. Furthermore, the portion of Carroll that teaches having an active select region to select new content indicates that this content begins at the edge of the previously selected region, and not within the previously selected region.

The claimed invention, in contrast, includes “...selecting, in a distinctive manner, a portion of one of the selected sets of data, wherein the one of the selected sets of data remains selected during the selection of the portion.” Claim 17. As such, the selection of the portion as included in the claimed invention, does not merely perform an initial selection of information or select information that is outside of the originally selected information, but rather selects a portion of one of the selected sets of data in a distinct manner, such that the selected set of data from which the portion is selected remains selected during the selection of the portion. For the

above reasons, the selection of the portion as included in the claimed invention is not taught by the different appearance of Carroll. Accordingly, Applicants request that the rejection be withdrawn.

With respect to dependent claims 6 and 13, Applicants submit that the Carroll also fails to teach or suggest that the method is adapted to allow selection of the second set of data that is non-contiguous with the first set of data. In contrast, as argued herein, the additional content of Carroll is always contiguous with the previously selected content. Thus, Carroll does not teach the independent selection the non-contiguous sets of data of the claimed invention. Accordingly, Applicants request that the rejection be withdrawn.

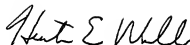
With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependent claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

#### IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. These features have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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